

Program A: Administration

Program Authorization: R.S. 42:1101 et seq. (Code of Governmental Ethics); R.S. 18:1481 et seq. (Campaign Finance Disclosure Act); R.S. 24:50 et seq. (Lobbyist Registration and Disclosure Act)

PROGRAM DESCRIPTION

The mission of the Administration Program is to administer and to enforce Louisiana's conflicts of interest legislation, campaign finance registration and reporting requirements, lobbyist registration and disclosure laws to achieve compliance by governmental officials, public employees, candidates, and lobbyists; and to provide public access to disclosed information.

The goals of the Administration Program are:

1. Improve the level of education and awareness by public servants in order to ensure compliance with conflicts of interest standards, campaign finance disclosure requirements and lobbyist registration and disclosure requirements.
2. Improve the efficiency of the staff in handling matters to be presented to the board in a timely manner.
3. Enhance timely public access to disclosed information.

The Administration Program provides staff support to the Board of Ethics. This includes clerical, budget, administrative, personnel, legal, educational, training, data processing, and technical support with respect to: (1) implementing a broad-based information distribution and education program; (2) rendering advisory opinions; (3) conducting field investigations and preparing investigation reports; (4) conducting public hearings; (5) defending the Board of Ethics in litigation at all state and federal levels; (6) developing, publishing, and distributing forms and information material and booklets to candidates, political committees, lobbyists, and other persons required to comport with the provision of the Campaign Finance Disclosure Act (CFDA) and Lobbyist Registration and Disclosure Act (LRDA); (7) receiving, copying, indexing, recording, and monitoring disclosure reports and related forms and materials; (8) receiving electronically filed disclosure reports through Internet or diskette; receiving, logging, indexing, and scanning all disclosure reports for Internet access; (9) auditing and related compliance examination of CFDA and LRDA reports as well as other disclosure reports filed; (10) developing and administering both adjudication and litigation procedures for redressing violations and otherwise ensuring compliance with CFDA and LRDA requirements; (11) administering the random drug testing of elected officials according to the rules adopted by the Board of Ethics; and (12) providing training and educational services to the elected officials, public employees, and the general public on the provisions of the laws administered by the Board of Ethics.

- **Ethics Activity:** The primary statutory responsibility of the Board of Ethics and, therefore, of the Administration Program is to administer and enforce Louisiana's conflicts of interest legislation. The Board of Ethics is responsible for rendering advisory opinions, receiving and investigating complaints, conducting public hearings, and imposing and enforcing remedial and disciplinary actions as may be necessary under the circumstances as otherwise permitted by law.

The Board of Ethics is statutorily mandated by Section 1158 of the Ethics Code to establish the Board of Ethics Computerized Data Management System. On behalf of the board, the Administration Program provides technical support to manage and maintain the Board of Ethics Computerized Data Management System to facilitate the electronic filing and provide on-line computer access to disclosure reports filed with the Board of Ethics. All disclosure reports filed with the Board of Ethics are scanned so that the reports are accessible to the general public via the Internet. Also, the Administration Program is responsible for providing education material, information, training and seminars on the laws administered by the Board of Ethics to public servants, candidates, political committees, lobbyists, and the general public.

- **Campaign Finance Disclosure Activity:** The Board of Ethics serves as the Supervisory Committee for the Campaign Finance Disclosure Act (CFDA) and is responsible for administering the CFDA. Louisiana has a broad and comprehensive program requiring candidates for election to public office and political committees to periodically file campaign finance disclosure reports. The Board of Ethics is also charged with regulating the amount of contributions that may be received by candidates and committees as well as various other campaign finance activities. The Administration Program notifies candidates and committees of their reporting requirements and provides disclosure and reporting forms. Through comprehensive audits of disclosure reports, the Administration Program monitors candidate compliance when required reports are not timely or accurately filed and institutes appropriate enforcement proceedings. The Administration Program has authority to automatically assess late fees for reports that are not timely filed. (Automatic late fees are assessed, collected, and deposited into the State Treasury, along with fines for violations of the Code of Governmental Ethics. Other noncompliance issues are addressed through judicial enforcement. The Administration program is responsible for maintaining the campaign finance disclosure reports that are filed with the Board of Ethics, and the reports are numbered and indexed on a daily basis. The Administration Program provides access to the disclosure reports and provides copies of requested disclosure reports. The program has upgraded its technological capability to achieve Internet access of scanned and electronically filed reports. The Board of Ethics is responsible also for the administration of Section 1124 of the Code of Governmental Ethics, which requires that the governor and gubernatorial candidates and members of the Gaming Control Board file financial disclosure reports with the Board of

Ethics on forms prescribed by the board and processed by Administration Program staff. The Administration Program has developed electronic filing capabilities and Internet access for the filing for such disclosure reports.

- Louisiana Elections Integrity Act Activity: The Board of Ethics is responsible for the administration and enforcement of the Louisiana Elections Integrity Act, which provides for the management of complaints with respect to certain Louisiana elections. The Administration Program provides staff support to the board as the administrator of the Louisiana Elections Integrity Program, conducts investigations and presents evidence to the board in the discharge of its responsibilities to conduct hearings. The board has statutory jurisdiction over elections in Louisiana for the offices of the governor, lieutenant governor, secretary of state, state treasurer, attorney general, commissioner of elections, commissioner of agriculture, commissioner of insurance, United States senator, United States congressman, public service commissioner, members of the State Board of Elementary and Secondary Education, and justices of the Louisiana Supreme Court.
- Lobbyist Registration and Disclosure Activity: The Board of Ethics is responsible for the interpretation, administration, and enforcement of the Louisiana Lobbyist Disclosure Act. The Administration Program is responsible for developing, publishing, and distributing reports and disclosure forms, auditing and compliance assurance measures, and instituting administrative and judicial remedial and disciplinary actions to redress statutory violations.

OBJECTIVES AND PERFORMANCE INDICATORS

Unless otherwise indicated, all objectives are to be accomplished during or by the end of FY 2001-2002. Performance indicators are made up of two parts: name and value. The indicator name describes what is being measured. The indicator value is the numeric value or level achieved within a given measurement period. For budgeting purposes, performance indicator values are shown for the prior fiscal year, the current fiscal year, and alternative funding scenarios (continuation budget level and Executive Budget recommendation level) for the ensuing fiscal year (the fiscal year of the budget document).

1. (KEY) To streamline the investigation process by holding the length of time between initiation of investigation by the Board of Ethics and completion of the investigation to 180 days.

Strategic Link: This operational objective is to accomplish the program's Strategic Objective II.1: *To ensure that investigations initiated by the Board of Ethics are completed within 120 days.*

Louisiana: Vision 2020 Link: This operational objective is linked to Vision 2020 Objective 1.8: *To improve the efficiency and accountability of governmental agencies* by decreasing the number of days it takes to complete an investigation.

Children's Cabinet Link: Not applicable

Other Link(s): Not applicable

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1999-2000	ACTUAL YEAREND PERFORMANCE FY 1999-2000	ACT 11 PERFORMANCE STANDARD FY 2000-2001	EXISTING PERFORMANCE STANDARD FY 2000-2001	AT CONTINUATION BUDGET LEVEL FY 2001-2002	AT RECOMMENDED BUDGET LEVEL FY 2001-2002
S	Number of matters referred to investigation	225 ¹	100	110	110	110	110
K	Number of investigations completed	Not applicable ²	100	110	110	110	88
K	Number of investigations completed by deadline (180 processing days) ³	110	61 ⁴	110	110	110	70 ⁵
K	Percentage of investigations completed within deadline (180 processing days) ³	100%	61% ⁴	100%	100%	100%	80%

¹ The performance standard for FY 1999-2000 includes fact-finds and agency head requests. However, the actual figure for FY 1999-2000 includes only confidential investigations ordered by the board. This explains the variation in performance levels for this indicator.

² This was a new performance indicator in FY 2000-2001. It did not appear under Act 10 of 1999 and does not have a FY 1999-2000 performance standard.

³ The standard for this indicator was based on an objective to complete the investigation process in 120 days. The objective and the performance indicator have been revised for FY 2001-2002 to complete the investigation process in 180 days.

⁴ The FY 1999-2000 actual yearend performance value was calculated based on the 120 day investigation process.

⁵ The Ethics Administration indicates that the FY 2001-2002 Executive Budget recommended funding level and reduction of 22 to 19 positions in the Table of Organization (TO) will result in the deletion of a Human Resource Program Consultant (Investigator). The loss of an "investigator" position will result in an increase in the turnaround time for completion of investigations.

GENERAL PERFORMANCE INFORMATION: ETHICS ADMINISTRATION					
PERFORMANCE INDICATOR	PRIOR YEAR ACTUAL FY 1995-96	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99	PRIOR YEAR ACTUAL FY 1999-00
Number of speaking engagements	Not available ¹	40	25	54	58
Number of persons attending speaking engagements	Not available ¹	500	400	4,343	3,438
Number of advisory opinions rendered	398	527	294	379	380
Number of visits to Internet webpage	Not applicable ²	Not applicable ²	Not applicable ²	30,960	209,828
Number of reports and registrations scanned into data	Not applicable ²	Not applicable ²	Not applicable ²	4,830	12,693
Number of newsletters distributed	Not available ¹	2,000	2,800	3,875	4,520
Number of administrative ³ hearings conducted	5	29	59	68	38

¹ Data for this performance indicator were not tracked prior to FY 1996-1997.

² Webpage was not created until FY 1998-1999. The election of October 23, 1999 (which falls in FY 1999-2000) was the first major election for which reports were viewable by the public on the agency's website.

³ The Board of Ethics conducts public hearings for failure to pay late fees by candidates, political action committees, lobbyist and for charges in connection with violations of the Code of Governmental Ethics.

2. (KEY) To have 5% of all reports and registrations filed electronically.

Strategic Link: This operational objective is related to the agency's Strategic Objective III.3: that 5% of reports and registrations filed with the Board of Ethics are electronically filed
Louisiana: Vision 2020 Link: This operational objective is linked to Vision 2020 Objective 1.8: *To improve the efficiency and accountability of governmental agencies* by allowing public access to public information of the Board of Ethics, including opinions, advisory opinions, reports and disclosures.

Children's Cabinet Link: Not applicable

Other Link(s): Not applicable

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1999-2000	ACTUAL YEAREND PERFORMANCE FY 1999-2000	ACT 11 PERFORMANCE STANDARD FY 2000-2001	EXISTING PERFORMANCE STANDARD FY 2000-2001	AT CONTINUATION BUDGET LEVEL FY 2001-2002	AT RECOMMENDED BUDGET LEVEL FY 2001-2002
K	Percentage of reports and registrations filed electronically	5%	8.1%	8%	8%	5% ¹	5%

¹ The agency intends to maintain the 5% standard, because the actual yearend performance figure in FY 1999-2000 included a large election cycle which consisted of state-wide candidates, who are statutorily mandated to file electronically if they receive contributions or loans in excess of \$50,000 for the aggregating period (LSA-R.S. 18:1485(C)).

3. (KEY) To seek Board of Ethics action against candidates, political committees and lobbyist within an average of 210 days from the late filing of reports or registration forms.

Strategic Link: This operational objective is an instrumental step in accomplishing the program's Strategic Objective III.1: *To ensure that Board action is sought against candidates, political committees and lobbyist within 180 days.*

Louisiana: Vision 2020 Link: This operational objective is linked to Vision 2020 Objective 1.8: *To improve the efficiency and accountability of governmental agencies by decreasing the number of days it takes to seek board action against those who fail to file reports timely.*

Children's Cabinet Link: Not applicable

Other Link(s): Not applicable

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1999-2000	ACTUAL YEAREND PERFORMANCE FY 1999-2000	ACT 11 PERFORMANCE STANDARD FY 2000-2001	EXISTING PERFORMANCE STANDARD FY 2000-2001	AT CONTINUATION BUDGET LEVEL FY 2001-2002	AT RECOMMENDED BUDGET LEVEL FY 2001-2002
K	Percentage of reports and registrations filed late	7.6%	9.3%	7.7%	7.7%	7.7%	7.7%
K	Average length of time to seek board action (in days)	180	150	180	180	180	210

GENERAL PERFORMANCE INFORMATION: REPORTS AND REGISTRATIONS

PERFORMANCE INDICATOR	PRIOR YEAR ACTUAL FY 1995-96	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99	PRIOR YEAR ACTUAL FY 1999-00
Number of candidates, political committees and lobbyist required to file reports and registrations	5,680 ¹	4,289 ¹	1,549 ¹	2,549 ¹	4,966
Number of reports and registrations filed	9,955	7,789	3,526	6,451	12,514
Number of reports and registrations filed electronically	Not applicable ²	Not applicable ²	Not applicable ²	Not applicable ²	1,017
Number of reports and registrations filed in paper format	9,955	7,789	3,526	6,451	11,497
Number of reports and registrations filed late	Not available ³	Not available ³	Not available ³	763	1,167
Number of late reports brought before the Board of Ethics for board action	Not available ⁴	Not available ⁴	Not available ⁴	Not available ⁴	61

¹ Data for political committees were not tracked prior to FY 1999-2000. Also the Board of Ethics did not have jurisdiction over lobbyist until after July 1, 1996.

² Electronic filing was not implemented prior to January 1, 1999.

³ Performance data for this performance indicator were not tracked prior to FY 1998-1999.

⁴ Performance data for this performance indicator were not tracked prior to FY 1999-2000.

RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 1999 - 2000	ACT 11 2000 - 2001	EXISTING 2000 - 2001	CONTINUATION 2001 - 2002	RECOMMENDED 2001 - 2002	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$1,214,299	\$1,169,473	\$1,169,473	\$1,195,491	\$1,153,783	(\$15,690)
STATE GENERAL FUND BY:						
Interagency Transfers	0	0	0	0	0	0
Fees & Self-gen. Revenues	62,402	55,000	55,000	55,000	55,000	0
Statutory Dedications	0	0	0	0	0	0
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
TOTAL MEANS OF FINANCING	\$1,276,701	\$1,224,473	\$1,224,473	\$1,250,491	\$1,208,783	(\$15,690)
EXPENDITURES & REQUEST:						
Salaries	\$769,703	\$655,589	\$655,589	\$675,712	\$665,750	\$10,161
Other Compensation	22,825	30,590	30,590	30,590	30,590	0
Related Benefits	111,705	136,836	136,836	139,744	145,023	8,187
Total Operating Expenses	270,454	233,704	233,704	253,276	234,431	727
Professional Services	16,989	31,381	31,381	31,981	31,381	0
Total Other Charges	79,848	117,298	117,298	119,188	101,608	(15,690)
Total Acq. & Major Repairs	5,177	19,075	19,075	0	0	(19,075)
TOTAL EXPENDITURES AND REQUEST	\$1,276,701	\$1,224,473	\$1,224,473	\$1,250,491	\$1,208,783	(\$15,690)
AUTHORIZED FULL-TIME EQUIVALENTS: Classified	23	22	22	22	19	(3)
Unclassified	0	0	0	0	0	0
TOTAL	23	22	22	22	19	(3)

SOURCE OF FUNDING

This program is funded by State General Fund and Fees and Self-generated Revenues. The Fees and Self-generated Revenues are derived from filing fees for all political action committees authorized by R.S. 18:1505: funds collected for providing copies of Campaign Finance Disclosure reports, transcripts, etc.

ANALYSIS OF RECOMMENDATION

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$1,169,473	\$1,224,473	22	ACT 11 FISCAL YEAR 2000-2001
			BA-7 TRANSACTIONS:
\$0	\$0	0	None
\$1,169,473	\$1,224,473	22	EXISTING OPERATING BUDGET – December 15, 2000
\$6,927	\$6,927	0	Annualization of FY 2000-2001 Classified State Employees Merit Increase
\$12,177	\$12,177	0	Classified State Employees Merit Increases for FY 2001-2002
\$727	\$727	0	Risk Management Adjustment
(\$19,075)	(\$19,075)	0	Non-Recurring Acquisitions & Major Repairs
\$137,881	\$137,881	0	Salary Base Adjustment
(\$102,000)	(\$102,000)	(1)	Attrition Adjustment
(\$355)	(\$355)	0	Civil Service Fees
\$3,927	\$3,927	0	Training series adjustment
(\$40,564)	(\$40,564)	(2)	Eliminate information technology and human resources positions
(\$15,335)	(\$15,335)	0	Reduce funding for computer maintenance expenses
\$1,153,783	\$1,208,783	19	TOTAL RECOMMENDED
\$0	\$0	0	LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS
\$1,153,783	\$1,208,783	19	BASE EXECUTIVE BUDGET FISCAL YEAR 2001-2002
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE
\$1,153,783	\$1,208,783	19	GRAND TOTAL RECOMMENDED

The total means of financing for this program is recommended at 98.7% of the existing operating budget. It represents 82.6% of the total request (\$1,463,185) for this program. Significant adjustments include the elimination of funding and the T.O. for two vacant positions and the abolishment of a vacant unfunded position.

PROFESSIONAL SERVICES

\$30,000	Computer consultant to provide technical assistance of local area network for electronic filing of campaign finance reports
\$1,381	Legal expenses for the preparation of transcripts of hearings as required by the Appeals Courts
\$31,381	TOTAL PROFESSIONAL SERVICES

OTHER CHARGES

\$98,662	Computer maintenance for electronic filing and the internet
----------	---

\$98,662	SUB-TOTAL OTHER CHARGES
-----------------	--------------------------------

Interagency Transfers:

\$2,946	Civil Service/CPTP charges
---------	----------------------------

\$2,946	SUB-TOTAL INTERAGENCY TRANSFERS
----------------	--

\$101,608	TOTAL OTHER CHARGES
------------------	----------------------------

ACQUISITIONS AND MAJOR REPAIRS

This program has no funding for Acquisition and Major Repairs for Fiscal Year 2001-2002